

### **IN THE CLAIMS**

Please amend the claims as follows:

1. (Currently Amended) A computer implemented method of facilitating an electronic transaction, the computer implemented method comprising:

presenting, via a first computer system, both an auction purchase process and a fixed-price purchase process for purchase of an offering to a buyer; and

responsive to receipt of a bid from the buyer as part of the auction purchase process, removing the presentation of the fixed-price purchase process.

2. (Currently Amended) The computer implemented method of claim 1 wherein the presenting includes generating a first user interface identifying both the auction purchase process and the fixed-price purchase process to the buyer.

3. (Currently Amended) The computer implemented method of claim 2 wherein the first user interface is a markup language document generated at a second computer system, and wherein the presenting includes communicating the markup language document from the second computer system to the first computer system via a network.

4. (Currently Amended) The computer implemented method of claim 1 wherein the removing of the presentation includes generating a second user interface that identifies only the auction purchase process to the buyer.

5. (Currently Amended) The computer implemented method of claim 1 wherein the auction purchase process is presented with an initial bid value and wherein the fixed-price purchase option is presented with a ~~pre-auction~~ seller determined price.

6. (Currently Amended) The computer implemented method of claim 1 including, responsive to receipt of a fixed price offer from the buyer as part of the fixed-price purchase process, establishing the electronic transaction between the buyer and a seller for purchase of the offering at a fixed price.

7. (Currently Amended) The computer implemented method of claim 1 including, responsive to the receipt of the bid from the buyer, as part of the auction process, maintaining only the auction purchase process for a predetermined period of time to receive further bids from further buyers.

8. (Currently Amended) The computer implemented method of claim 7 including, at conclusion of the predetermined time period, establishing the electronic transaction between a winning buyer, who submitted a highest valid bid, and the seller.

9. (Currently Amended) The computer implemented method of claim 1 including presenting to a seller a purchase process option to sell the offering by both the auction and the fixed-price purchase processes, and receiving a purchase process indication from the seller responsive to the presentation of the purchase process option.

10. (Currently Amended) A computer implemented method comprising:

receiving, at a computer system, an offering's selling information from a seller including an offering description, an indication whether to allow a buyer a chance to buy the offering at a ~~pre-auction~~ seller determined price, and if the indication to allow the buyer the chance to buy the offering at the ~~pre-auction~~ seller determined price is affirmative, the ~~pre-auction~~ seller determined price;

receiving purchase information from the buyer including ~~either~~ at least one of: (1) an affirmative indication to purchase the offering at the ~~pre-auction~~ seller determined price if a seller has given affirmative indication to allow the buyer the chance to buy the offering at the

~~pre-auction~~ seller determined price; ~~or and~~ (2) a ~~desired~~ bid the buyer will buy the offering at;  
and

determining a successful buyer comprising:

if an affirmative indication to purchase the offering at the ~~pre-auction~~ seller determined price is received from the buyer and no bids have been ~~accepted~~ received for the offering, the buyer, having given affirmative indication, is the successful buyer;

~~if multiple buyers submit bidding information and the highest bid does not equal any of the other highest possible bids, the buyer with the highest bid is the successful buyer; and a first bid is received from the buyer then a buyer from which the highest bid is received is the~~  
successful buyer.

~~determining a successful bid price to be paid by the successful buyer comprising:--~~

~~if the affirmative indication to purchase the offering at the pre-auction seller determined price is received from the buyer on an offering who's seller has given an affirmative indication to allow the buyer the chance to purchase the offering at a pre-auction seller determined price, the successful bid price is the pre-auction seller determined price; and~~

~~if multiple buyers bid, the bid equals the highest bid.~~

11. (Currently Amended) The computer implemented method of claim 10 further comprising requesting additional bidding information from the buyer giving the affirmative indication to purchase the offering at the offering's ~~pre-auction~~ seller determined price if the additional bidding information has not been received before; the additional bidding information used to determine whether to accept the buyer's affirmative indication to purchase the offering at the offering's ~~pre-auction~~ seller determined price.

12. (Currently Amended) The computer implemented method of claim 10, wherein if the seller gives the affirmative indication to allow the buyer the chance to buy the offering at the ~~pre-auction~~ seller determined price, the chance to buy the offering at the ~~pre-auction~~ seller determined price terminates upon receipt of ~~[[a]]~~ the first bid from the first buyer.

13. (Currently Amended) The computer implemented method of claim 10, wherein if the offering's selling information received from the seller includes a reserve price, the seller is notified of an error if the reserve price is not equal to or less than the ~~pre-auction~~ seller determined price if the seller gives the affirmative indication to allow the buyer the chance to buy the offering at the ~~pre-auction~~ seller determined price.

14. (Currently Amended) The computer implemented method of claim 10, wherein if the seller gives the affirmative indication to allow the buyer the chance to buy the offering at the ~~pre-auction~~ seller determined price, a first buyer's desired bid is compared to the ~~pre-auction~~ seller determined price and if the first buyer's desired bid is greater than the ~~pre-auction~~ seller determined price, a message is sent to the first buyer inviting the first buyer to give the affirmative indication to purchase the offering at the ~~pre-auction~~ seller determined price before the first buyer's desired bid is ~~accepted~~ received.

15. (Currently Amended) The computer implemented method of claim 10, wherein if the seller gives the affirmative indication to allow the buyer the chance to buy the offering at the ~~pre-auction~~ seller determined price, a first buyer's desired bid is compared to the ~~pre-auction~~ seller determined price and if the first buyer's desired bid is less than the ~~pre-auction~~ seller determined price, a message is sent to the first buyer inviting the first buyer to give affirmative indication to purchase the offering at the ~~pre-auction~~ seller determined price before the first buyer's desired bid is ~~accepted~~ received.

16. (Currently Amended) The computer implemented method of claim 10 further comprising presenting a part of the offering's selling information to a buyer on a computer screen.

17. (Currently Amended) The computer implemented method of claim 16 further comprising displaying a visual indicator in association with the offering's selling information if the seller of the offering has given the affirmative indication to allow the buyer the chance to buy the offering at the ~~pre-auction~~ seller determined price.

18. (Currently Amended) The computer implemented method of claim 17 further comprising removing the visual indicator after ~~[[a]]~~ the first bid is ~~accepted~~ received on that offering from a first buyer.

19. (Currently Amended) The computer implemented method of claim 17 further comprising generating a user interface to receive the buyer's affirmative indication to purchase the offering which the seller has given the affirmative indication to allow the buyer to purchase at the ~~pre-auction~~ seller determined price ~~at the pre-auction seller determined price~~.

20. (Currently Amended) A computer implemented method comprising:

receiving, at a computer system, offering information from a plurality of sellers at a computer-based transaction facility;

organizing the offering information into predetermined categories;

receiving a category selection from a buyer at the computer-based transaction facility;

automatically displaying a list of offering information in the selected category, with a visual indicator appearing in association with a respective offering if a seller of the offering has given affirmative indication to allow a buyer a chance to buy the first offering at a ~~pre-auction~~ seller determined price; and

removing the visual indicator after a first bid is ~~accepted~~ received on the first offering from a first buyer.

21. (Cancelled)

22. (Currently Amended) The computer implemented method of claim 20 further comprising removing the offering's selling information if a seller has given an affirmative indication to allow the first buyer a chance to purchase the first offering at a ~~pre-auction~~ seller determined price and an affirmative indication to purchase the offering at the ~~pre-auction~~ seller determined price has been ~~accepted~~ received.

23.-29. (Cancelled)

30. (New) A tangible machine readable medium storing a set of instructions that, when executed by a machine, cause the machine to:

present, via a first computer system, both an auction purchase process and a fixed-price purchase process for purchase of an offering to a buyer; and

responsive to receipt of a bid from the buyer as part of the auction purchase process, remove the presentation of the fixed-price purchase process.